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FILED

2/22/08

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants.

07-CV-6915 (DLC)

ECF CASE

DORMITORY AUTHORITY OF THE STATE OF NEW YORK  
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

**MOTION TO**

**ADMIT COUNSEL**

**PRO HAC VICE**

**-GEORGE J. MANOS**

TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC  
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY  
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION;  
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC;  
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY; GREAT AMERICAN INSURANCE  
COMPANY; NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE  
INSURANCE COMPANY; ALLIED WORLD ASSURANCE

U.S. DISTRICT COURT  
S.D. OF N.Y.  
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MD  
80-56-6  
2-25-08  
56# 9287119

COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :  
INSURANCE COMPANY; ZURICH AMERICAN INSURANCE' :  
COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :  
CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :  
GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :  
(a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :  
1-20 and XYZ CORPS. 1-20, :

Fourth-Party Defendants. :


PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Michael S. Miller, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission, pro hac vice, of:

Applicant's Name: George J. Manos  
Firm Name: Bollinger, Ruberry & Garvey  
Address: 500 West Madison Street, 23<sup>rd</sup> Floor  
City/State/Zip: Chicago, Illinois 60661  
Telephone: (312) 466-8000  
Fax: (312) 466-8001  
Email address: george.manos@brg-law.net

George J. Manos is a member in good standing of the Bar of the State of Illinois and is admitted to practice in the United States Court of Appeals for the Third, Fifth, Sixth, Seventh and Eleventh Circuits, and the United States District Courts for the Northern District of Illinois, Central District of Illinois, Southern District of Illinois, District of Colorado, Eastern District of Wisconsin, Western District of Wisconsin, District of Nebraska, and the Western District of Michigan. There are no pending disciplinary proceedings against George J. Manos in any state or federal court. Attached hereto is a Certificate of Admission To the Bar of Illinois for Mr. Manos.

Dated: February 21, 2008  
New York, New York

Respectfully submitted,

By:   
Michael S. Miller

Tompkins, McGuire, Wachenfeld & Barry, LLP  
140 Broadway  
51<sup>st</sup> Floor  
New York, New York 10005  
(212) 714-1720

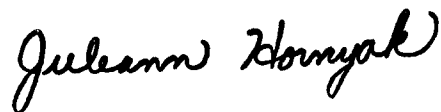
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

George J. Manos

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 6, 1986 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Thursday, January 24, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

**DECLARATION OF SERVICE**

The undersigned hereby declares, under penalty of perjury, that on February 21, 2008, he caused a true copy of the foregoing Motion and the supporting Declaration of Michael S. Miller. to be served via first class mail upon counsel for the various parties as follows:

JoAnne M. Bonacci, Esq.

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AMERICAN NATIONAL FIRE INSURANCE COMPANY  
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(a/k/a HARLEYSVILLE INSURANCE COMPANY)*

Headquarters Plaza

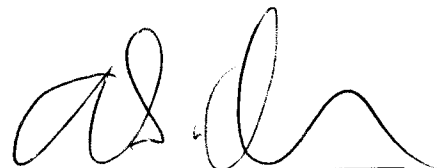


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Jeremy Platek, Esq.  
**O'CONNOR, REDD, GOLLIHUE & SKLARIN, LLP**  
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Tel: (914) 686-1700 x 239  
Fax: (914) 328-3184

DATED: February 21, 2008

  
Michael S. Miller

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

---

TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants.

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DORMITORY AUTHORITY OF THE STATE OF NEW YORK  
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

---

TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC  
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY  
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION;  
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC;  
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY; GREAT AMERICAN INSURANCE  
COMPANY; NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE  
INSURANCE COMPANY; ALLIED WORLD ASSURANCE

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: 07-CV-6915 (DLC)  
: **ECF CASE**

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: **DECLARATION OF**  
: **MICHAEL S. MILLER**  
: **IN SUPPORT OF**  
: **MOTION TO ADMIT**  
: **COUNSEL**  
: **PRO HAC VICE**

COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :  
INSURANCE COMPANY; ZURICH AMERICAN INSURANCE' :  
COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :  
CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :  
GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :  
(a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :  
1-20 and XYZ CORPS. 1-20, :  
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:  
\_\_\_\_\_  
Fourth-Party Defendants. :

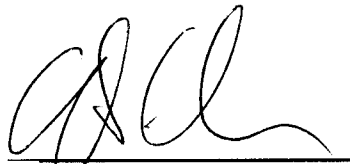
Michael S. Miller, of full age, subscribes and affirms under penalty of perjury as follows,  
pursuant to 28 U.S.C. §1746:

1. I am a partner at Tompkins, McGuire, Wachenfeld & Barry, LLP, counsel to Fourth-Party Defendant Lumbermens Mutual Casualty Company ("LMC"), improperly sued as Kemper Casualty Insurance Company d/b/a Kemper Insurance Company in the above-captioned action. I am fully familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of LMC's motion to admit George J. Manos as counsel, pro hac vice, to represent LMC in this matter.
2. I am a member in good standing of the bars of the State of New York and the State of New Jersey and was admitted to practice law in the State of New York in 1986. I am also admitted to the bars of the United States Courts of Appeals for the Second and Third Circuits, the United States District Courts for the Southern District of New York, the Eastern District of New York and the District of New Jersey, and am in good standing with those Courts.
3. Mr. Manos is a partner at Bollinger, Ruberry & Garvey in Chicago, Illinois.

4. I have worked with numerous attorneys at Bollinger, Ruberry & Garvey in Chicago, Illinois for several years on several matters and have found them to be skilled attorneys and persons of integrity. They are experienced in federal practice and are familiar with the Federal Rules of Civil Procedure.
5. Accordingly, I am pleased to move for the admission of George J. Manos, pro hac vice.
6. I respectfully submit a proposed order granting the admission of George J. Manos, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that this motion to admit George J. Manos, pro hac vice, to represent Fourth-Party Defendant LMC in the above-captioned matter, be granted.

DATED: February 21, 2008



Michael S. Miller

**EXHIBIT A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

VS.

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK  
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

VS.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

VS.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC :  
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY :  
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION: :  
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC; :  
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER: :  
INSURANCE COMPANY; GREAT AMERICAN INSURANCE :  
COMPANY; NATIONAL UNION FIRE INSURANCE :  
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE :  
INSURANCE COMPANY; ALLIED WORLD ASSURANCE :  
COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :

07-CV-6915 (DLC)  
ECF CASE

**: ORDER FOR  
: ADMISSION  
: PRO HAC VICE  
: OF GEORGE J.  
: MANOS  
: ON WRITTEN  
: MOTION**

INSURANCE COMPANY; ZURICH AMERICAN INSURANCE' :  
COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :  
CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :  
GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :  
(a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :  
1-20 and XYZ CORPS. 1-20, :  
: :  
: :  
Fourth-Party Defendants. :

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Upon the motion of Michael S. Miller, attorney for Lumbermens Mutual Casualty Company and said sponsor attorney's affidavit in support,

**IT IS HEREBY ORDERED** that:

Applicant's Name: George J. Manos  
Firm Name: Bollinger, Ruberry & Garvey  
Address: 500 West Madison Street, 23<sup>rd</sup> Floor  
City/State/Zip: Chicago, Illinois 60661  
Telephone/Fax: (312) 466-8000 / (312) 466-8001  
Email address: george.manos@brg-law.net

is admitted to practice pro hac vice for Fourth-Party Defendant Lumbermens Mutual Casualty Company, improperly sued as Kemper Casualty Insurance Company, d/b/a Kemper Insurance Company, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including Rules governing discipline of attorneys. Counsel shall immediately apply for an ECF password at nyds.courts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

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United States District / Magistrate Judge